IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1265 OF 2006
IN
CRIMINAL APPEAL NO. 180 OF 2006

Hussain Karim Shaikh ..Applicant

versus

The State of Maharashtra ..Respondent

Mr. Uday Warunjikar for the Applicant.

Mrs. V. R. Bhosale, APP for the Respondents - State.

CORAM : D. G. DESHPANDE &
SMT. V. K. TAHILRAMANI, JJ.

DATE : 29TH MARCH, 2007.

P.C. (IN CHAMBER) :

1. Heard.

2. This is an application for bail. Earlier, we had passed an order on 21.4.2006, wherein the applicant - accused was called upon to get himself admitted in the Sassoon Hospital for a period of one month. Learned APP Mrs. Bhosale makes a statement that the applicant - accused, in fact, got himself admitted on 5.5.2006 and was discharged on 5.6.2006.

Mrs. Bhosale who has got all the documents of the Sassoon Hospital, which support this contention and states that applicant is suffering from paralysis of right side and Hyper Tension with Ischemic heart disease. However, she states that the single medicine along with the diet that was given by Sassoon Hospital Authorities to this applicant - accused cost Rs.6,000/-. We enquired from Mr. Arjunwadkar whether applicant - accused who is a rickshaw driver is in a position to meet the expenses of such costly treatment. He states that even though the son of the applicant - accused is also in jail, the other relatives have undertaken to provide necessary medical treatment to the applicant.

3. In any case the applicant - accused is confined to bed, he cannot make any movement. Therefore on trial basis we are releasing the applicant - accused on bail for a period of four months from the date of his release upon his execution of a bond in the sum of Rs.10,000/- (Rupees Ten Thousand) with one or two solvent sureties in the like amount with further condition that after the period of bail of four months is

over, he will have to surrender. If he applies for further extension, he will have to produce proof in the form of bills or receipts issued by Pharmacist for purchasing such costly medicine, to this court, by way of filing affidavit and affidavit also regarding the nature of the treatment taken by him and the name of the doctor. In no case the applicant - accused will leave jurisdiction of Corporation limits of Pune, Pimpri, Chinchwad. Application disposed of accordingly.

(SMT. V.K. TAHILRAMANI, J.) **(D.G. DESHPANDE, J.)**